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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/525,120	02/18/2005	Sang-Duck Kim	1728.07	5572

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EXAMINER	
ANDRAMUNO, FRANKLIN S	
ART UNIT	**PAPER NUMBER**
2623	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/525,120	KIM, SANG-DUCK	
	Examiner	Art Unit	
	Franklin S. Andramuno	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 February 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-11* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-11* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *2/18/05* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *2/18/05*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-11 are rejected under 35 U.S.C. 102(e) as being unpatentable by Plotnick et al (US 2005/0097599 A1). Hereinafter referred as Plotnick.

Regarding claim 1, Plotnick discloses a real-time service system using an interactive data communication **(Figure 4)**, the system comprising: a plurality of digital set-top boxes of users **(Set Top (440) in figure 4)** for replaying service contents selected by the user in real time **(page 10 paragraph (0146) lines 7-10)** through a television by being supplied through a telephone line of a very high-data rate digital subscriber line (VDSL) **(page 6 paragraph (0109) lines 1-3)**, a number of system operating device installed by a predetermined region unit **(Figure 6B)**and connected to the plurality of digital set-top boxes of the users in a corresponding region via a telephone line of the VDSL for supplying the service contents required at a corresponding set-top box in real time **(figure 4)** by the interactive data communication with an arbitrary digital set-top box; and a service providing device for storing various service contents received from a contents providing device and for supplying the

corresponding service contents to a corresponding system operating device in real time in response to a service content request from the system operating device inputted through the Internet **(page 3 paragraph (0064))**.

Regarding claim 2, Plotnick discloses the system of claim 1, wherein the system operating device includes: a storing block for storing the service contents supplied from the service providing device **(Video Storage (620) and Data Storage (624) in figure 6A)**; a media server **(Video Server (422) in figure 5)** for receiving the service contents supplied from the service providing device by connecting to the Internet through a cable or an optical cable and for temporally storing the same at the storing block and outputting the same **(Figure 9)**; a multi-point distribution unit for setting a plurality of transmission paths for the service contents outputted from the media server and outputting the same **(Figure 10)**; and a private branch exchange for transmitting the service contents from the multi-point distribution unit to a corresponding digital set-top box through a telephone line **(Web Server (916) in figure 9)**.

Regarding claim 3, Plotnick discloses the system of claim 2, wherein the media server incorporates therein a function of a voice over Internet protocol (VOIP) router to implement the VOIP service **(Page 7 paragraph (0116))**.

Regarding claim 4, Plotnick discloses the system of claim 2, wherein the media server and the multi-point distribution unit are connected to each other through a communication network **(Figure 4)**.

Regarding claim 5, Plotnick discloses the system of claim 4, wherein the transmission rate between the media server and the multi-point distribution unit is expressed in gigabits **(page 7 paragraph (0114))**.

Regarding claim 6, Plotnick discloses the system of claim 1, wherein the service providing device includes: a first storing block for storing contents related to various services **(Video Storage (620) in figure 6a)**; a streaming server for transmitting the service contents stored at the first storing block to the system operating device through the Internet **(Web Server (916) in figure 9)** and for inputting the inputted service contents to the first storing block **(Data Storage (624) in figure 6a)**; a switching block installed between the first storing block and the streaming server for switching a movement of the service contents between the first storing block and the streaming server **(Switch (424) in figure 4)**; a web/database server for transmitting the various service contents supplied from the contents providing device through the Internet to the streaming server **(Internet in figure 9)**; a second storing block for storing a subsidiary information of the service content stored at the first storing block; and a manager personal computer (PC) for implementing search, insert, delete, update and reconstruction for the subsidiary information stored at the second storing block by sending a data manipulation language (DML) to the web/database server **(Figure 11)**.

Regarding claim 7, Plotnick discloses the system of claim 6, wherein the first storing block are separated to a multiple number in a physical sense, but they are one storing space in a logical sense and are expandable **(Data Storage (624 in figure 6a)**.

Regarding claim 8, Plotnick discloses the system of claim 6, wherein the steaming server is at least one **(STB Data Server in figure 11)**.

Regarding claim 9, Plotnick discloses the system of claim 6, wherein the subsidiary information stored at the second storing block is the serial number and position of each service contents **(page 12 paragraph (0161) lines 1-8)**, interface information of each service operating device **(Figure 9)**, interface information of the contents providing device, charging information and information required for the operation of the other service providing devices **(Rating and pricing module (928) in figure 9)**.

Regarding claim 10, Plotnick discloses a method for implementing a real-time service system using an interactive communication **(page 10 paragraph (0146) lines 7-10)**, the method comprising the steps of: displaying an initial screen representing categories for a plurality of allowable service contents on a monitor of television related to the digital set-top box in response to the power on of the digital set-top box of a user **(Set Top (440) in figure 4)**; if one of the plurality of categories is selected, transmitting a selection signal corresponding to the selected category created at the digital set-top box to a service providing device through a system operating device as well as displaying detailed selection items of the selected category on the monitor of the television **(Switching Office (420) in figure 4)**; if one of the plurality of detailed selection items is selected, generating a selection signal corresponding to the selection result at the digital set-top box and transmitting the generated signal to the service providing device through the system operating device **(Subscriber Network (430) in**

figure 4); transmitting the service contents based on the selection signal to a corresponding digital set-top box through the service providing device; and replaying the service contents by the television related to the digital set-top box **(Digital Rights Management (616) in figure 6a)**.

Regarding claim 11, Plotnick discloses the system of claim 1, wherein, in the digital set-top box, personal information, e.g., name, address, the information of credit card, identification (ID) card information or the like **(Traffic and Billing System (712) in figure 7)**, of the user of a corresponding digital set-top box are additionally stored in the ROM or are stored at a memory including a magnetic card, an IC card or hardware or the like, and a device to access the magnetic card, IC card or hardware or the like is attached to the digital set-top box to be utilized as the personal information and security and charging information **(Disk Drive (336) in figure 3)**.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Franklin S. Andramuno whose telephone number is 571-270-3004. The examiner can normally be reached on Mon-Thurs (7:30am - 5:00pm) alternate Fri off (EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (571)272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CHRIS KELLEY
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